

REMARKS

Applicants have amended independent claim 16 and added new independent claims 32 and 41 to define the present invention with more specificity. Support for the amendments are found in claims 21, 24 and 27. Applicants have added new claims 32-44. Support for these new claims can be found in claim 16-31. Applicants have also amended claims 17, 18, 19 25 26 and 29 to correct grammatical errors and to delete matters therein.

No new matter has been added by this amendment. Entry is believed to be proper and respectfully requested.

Upon entry of this amendment, Claims 16-20, 22-26, 29-30 and 32-44 are pending. Additional claim fee is due. A transmittal and a copy are attached for that purpose.

REJECTIONS & OBJECTIONS

Claim Rejections under 35 USC §102 over Schebece

The Examiner rejects Claims 16-20 and 23 under 35 USC 102(b) as being anticipated by Schebece (US4,181,632). The Examiner states that Schebece teaches an elastic detergent bar comprising a synthetic organic detergent, gelatin, a plasticizer and a stabilizer. The Examiner considers the synthetic organic detergent to be the active ingredient and gelatin is a water soluble polymer having a Tg below 30°C. The Examiner also states that the detergent bar is adapted to deliver the active ingredient in an aqueous environment (such as bath/shower water), and the detergent bar is necessarily water dispersible and water soluble.

Applicants submit that Schebece does not teach an elastic article comprising the presently claimed active ingredients of claim 16, or an elastic article having the presently claimed average particle size of claim 32. Therefore, Schebece does not anticipate the presently claimed invention, specifically, claims 16, 32 and their dependent claims.

Applicants respectfully request reconsideration and withdrawal of the rejection.

Claim Rejections under 35 USC §102 over Carson

The Examiner also rejects Claims 16-21, 23, 25-27 and 29-31 under 35 USC 102(b) as being anticipated by Carson (US 4,328,131). The Examiner states that Carson teaches an elastic detergent bar comprising a synthetic organic detergent (which the Examiner considers to be an active ingredient), gelatin (which the Examiner considers to be a polymeric material), a plasticizer and a stabilizer. The Examiner also states that the detergent bar is adapted to deliver the active ingredient in an aqueous environment (such as bath/shower water), and the detergent bar is necessarily water dispersible and water soluble. The Examiner further states that Carson teaches a process for making an elastic bar by mixing a synthetic organic detergent in gelatin and a plasticizer, introducing a gas into said mixture, and adding a stabilizing agent.

Applicants submit that Carson does not teach an elastic article comprising the presently claimed active ingredients of Claim 16, or an elastic article having the presently claimed average particle size of claim 32. Therefore, Carson does not anticipate the presently claimed invention, specifically, claims 16, 32 and their dependent claims.

Applicants respectfully request reconsideration and withdrawal of the rejection.

Claim Rejections under 35 USC §103 over Carson

The Examiner also rejects Claim 28 under 35 USC 103 as being unpatentable over Carson because Carson suggests different operative mixing sequences can be adopted.

Claim 28 has been canceled, thus, the rejection is moot. Moreover, Applicants submit that Carson does not teach or suggest a process of making an elastic article in the form of particles having a mean particle size of from about 50 to about 4000 microns, as claimed in new claims 41-44. Further, Carson provides no motivation for making such elastic article in the form of a particle. Therefore, Carson does not render the new claims 41-44 obvious.

Applicants respectfully request reconsideration and withdrawal of the rejection.

Allowable Subject Matter

The Examiner indicates that claims 22 and 24 are allowable. Applicants submit that the Examiner's rationale for allowing Claims 22 and 24 would apply to the pending claims as well. Applicants have also presented hereinabove the reasons why the pending claims are allowable over the cited references.

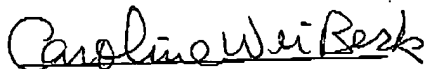
Therefore, Applicants respectfully request the issuance of a notice of allowance.

CONCLUSION

Applicant believes the present amendment is fully responsive and places Claims 16-20, 22-26, 29-30 and 32-44 in condition for allowance.

In the event that issues remain prior to allowance of the noted claims, the Examiner is invited to call Applicant's undersigned attorney to discuss any remaining issues.

Respectfully Submitted,
FOR: McGoff et al.


Caroline Wei-Berk
Attorney for Applicants
Reg. No. 45,203
(513) 627-0352

December 5, 2003
Customer No. 27752